

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARTEMIO M. ARROYO,

No. C 09-01745 SBA (PR)

Petitioner,

**ORDER DENYING CERTIFICATE OF  
APPEALABILITY**

v.

RANDY GROUNDS, Warden,

Respondent.

The federal rules governing habeas cases brought by state prisoners have been amended to require a district court that dismisses or denies a habeas petition to grant or deny a certificate of appealability (COA) in its ruling. See Rule 11(a), Rules Governing § 2254 Cases, 28 U.S.C. foll. § 2254 (effective December 1, 2009).

For the reasons stated in the Court's Order Granting Respondent's Motion to Dismiss dated September 30, 2010, Petitioner has not shown "that jurists of reason would find it debatable whether the district court was correct in its procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484 (2000). Accordingly, a COA is DENIED.

IT IS SO ORDERED.

DATED: 10/20/10

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 ARTEMIO M ARROYO,

5 Plaintiff,

6 v.

7 BEN CURRY et al,

8 Defendant.  
9 \_\_\_\_\_/

Case Number: CV09-01745 SBA

**CERTIFICATE OF SERVICE**

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
11 Court, Northern District of California.

12 That on October 20, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said  
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
14 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
15 located in the Clerk's office.

16 Artemio Mendez Arroyo C-20149  
17 California Training Facility  
18 P.O. Box 689  
19 Soledad, CA 93960

20 Dated: October 20, 2010

21 Richard W. Wieking, Clerk  
22 By: LISA R CLARK, Deputy Clerk  
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